App F IX 4

Previous References 1946 47 (Jul

File No 127-46
Serial Nos 1-2

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1 to 3

Part B for 1st July

SUBJECT

Joint session of the Trust Board and the Municipal Council

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re 42 9 8 by 25 Gent to the President

Note, that there is no provision to hold a - in the Municipal City municipality Act 46

Serial No

From the President, City Municipal Council Mysore
No. C 73-36, dated 10-7-46

Requests orders of Govt on the Resolution dated 4-7-46 of the City Municipal Council to hold a joint meeting of the City Municipal Council and of the Trust Board to consider such of the Common subjects or schemes with which both the Bodies are concerned and to suggest ways and means of implementing the same by mutual co-operation and co-ordination

The President, Mysore City Municipal Council has pointed out that such a proposed joint meeting of the City Municipal Council and of the Trust Board would be against the provision of Section 40 of the Mysore City Municipalities Act, 1933 which relates to the joint committees of two or more municipal councils

2) The Resolution does not also fall under Section 27 (16-a-of-b) of the Act

3) The Law section will be consulted

4) The resolution passed by the Municipal Council on 4/7/46 proposes to the effect that a joint meeting of the Municipal Council and of the Trust Board be

NOTE—Contn Sheet

Serial No

held to consider Communal aspects
of schemes with which both the
bodies are concerned suggest ways
& means of implementing the same
by mutual co-operation & co-ordination.

5) No question of constituting a
Joint Committee as contemplated under
Sec 40 of the City Improvement Trust Act,
in view of the above resolution.
The City Improvement Trust Act does not preclude
such joint meetings being
held either as a matter of fact,
the President of the Board is the Chairman
of the Trust Board and the nominated
officials & two other members of the Board
are on the Board thereby not
be any necessity for such joint meetings
at all, as the interests of the Board are
well represented on the Trust Board. Even
if there are to be such meetings,
there seems to be no objection under the
provisions of the City Improvement Trust Act thereby

6) The Law section may also be Consulted

7) Yes Sir 3/12/46. new regn from 2/9/46

What is the Effect of resolutions passed at such Joint meetings? Are they binding on both the Board?

WD 03814—GPB—15 000—20 7 46

7) In favour of Mysore

Advocate

Law secretary for

Mg 1916

for 3/9

subject of the point for consideration is whether joint meetings of the Mysore City Municipal and the Mysore City Improvement Trust Board could be held as there does not appear under s 140 of the City Municipalities Act

10) S 40 of the City Municipalities Act contemplates joint committees of two or more municipal council (constituted under the City, Town or Town Municipalities Act) or a District Board and council under the Board of Trustees charged with the execution of the Act (City of Mysore Improvement Act) or the creation of a special statute and is not covered by S 140 of the City Municipalities Act Among though there could be no objection for a joint meeting a resolution thereof may not be binding on the Trust Board as S 9 of the City of Mysore Improvement Act provides a special form mode of the Board formerly.

NM 6 9 16

11) There is no provision for a formal joint meetings of the municipal council & the Trust Board they are

Serial No

official bodies and their functions are different. There is however no legal objection to informal joint meetings of the two bodies but any joint decisions cannot be recognised for

7/9

Lawkes)

(2) The Law Member, if any case may be informal & any discussions or conclusions must not be any legal finality

Law Sec
W/C)

8/9

9/9

(3) A draft reply in accordance with the above legal opinion is put up for appl

Law Sec
11/9/46

10/9

Legal opinion furnished in this case may be accepted & reply sent to the President's sec

Minister for Ed^n & Lab)

11/9

11/9/46

19/9/46

7 SEP 1946

TYPI
20 SEP 1946

G of CF Th
FRE
Date 12-9-46
20 1561

WD 03814—GPB—15 000—20-7 46

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The president - Memo 4298 dt 23-4-66 Orders accordingly

NOTE—Contn Sheet

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Serial No

WD 03814—GPB—15 000—20 7 46

Ml 127-46-1

No MSC 7336 dated 46 3

Encl

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL
MYSORE

From

Date 9th August, 194

R Ramachandra Rao Bhombore Esq, B A
President City Municipal Council
MYSORE

To

J B Mallaradhya, Esq, M A,
Secretary to Government,
Revenue Department,
BANGALORE

Sir,

Subject Joint Session of the Trust Board and the Municipal Council

I have the honour to state that at the Adjourned meeting of this municipal council held on the 4th July 1946, Mr P Sitaramiah B A, B L, Municipal Councillor moved a resolution tabled by him to the effect that "a joint meeting of the Municipal Council and of the Trust Board be arranged to be held to consider such of the common subjects or schemes with which both the bodies are concerned and suggest ways and means of implementing the same by mutual co-operation and coordination" In moving the resolution Mr P Sitaramiah said that in order to take up big schemes like underground drainage works, water-supply and sanitary facilities etc, for meeting the cost of which the Municipality is not financially strong, both the bodies might join together and approach Government for any help required He said that a Joint Committee under Section 40, 27 (16-A and B) of the Municipal Acount be formed for the purpose Mr Agaram Rangiah who seconded the proposition added that the Joint Committee might meet four times in a year

After some disfussion, the proposition was put to vote and carried by a majority as per resolution copy enclosed

The provision under which the resolution is brought up, viz, Sec 40 of the City Municipalities Act refers to joint transactions with the other local bodies and not to a semi Governmental body like the Trust Board Section 27 (16-a and b) referred to, refers to the presence of certain Government officers only at the meetings This was pointed out to the

members All the same, the resolution was carried by the majority of members

In these circumstances, I request you kindly to obtain orders of Government in the matter and communicate the same

I have the honour to be,
Sir,
Your most obedient servant,

PRESIDENT

BS

1138 Resolution tabled by Mr P Sitharamiah, B A ,B L , Municipal Councillor

Resolved that a Joint meeting of the Municipal Council and of the Trust Board be arranged to be held to consider such of the common subjects or schemes with which both the bodies are concerned and suggest ways and means of implementing the same by mutual co-operation and co-ordination

Mover Mr P Sitharamiah
Seconded by Mr Agaramiah Rangiah

Carried by majority not
Poll demanded by Mr Mohamed Sait and/seconded

Sd R Ramachandra Rao Bhombore,
President

COPY"

PRESIDENT

~4298/Ml 127-46 ~2~

8 23 9 46

To

The President

City Municipal Council

Mysore

Subj - Joint Session of the Trust Board and the Municipal Council, Mysore

Sir,

With reference to your letter No MS-C 73-36/46-7 dated 10-8-46, requesting orders of Govt on the resolution dated 4-7-46, of the City Municipal Council, regarding the holding of a joint meeting of the Municipal Council and the Trust Board to consider such of the common subjects or schemes with which both the bodies are concerned etc, I am directed to state that there is no provision in the Mysore City Municipalities Act, 1933, to hold a formal joint meeting of the Municipal Council and the

Trust Board, as they are different bodies and their functions are different The joint meetings if any, can only be informal and any ~~discussions~~ decisions or conclusions arrived at thereof at such meetings will not have any legal ~~footing~~ effect

Yours Love in
Joan
Revenue Secretary
to Gul-